

RESOLUTION NUMBER R-293966

ADOPTED ON OCTOBER 16, 2000

RESOLUTION OF THE CITY OF SAN DIEGO DECLARING A  
LOCAL EMERGENCY REGARDING A CRITICAL LOCAL  
PUBLIC HEALTH CRISIS RELATED TO THE SPREAD OF  
THE HEPATITIS C VIRUS

WHEREAS, California Government Code section 8630 authorizes local governing bodies to declare local emergencies when such events occur as are defined by California Government Code section 8558(c); and

WHEREAS, at the Public Safety & Neighborhood Services Committee meeting of September 13, 2000, the Committee heard public testimony, including testimony from medical experts, regarding the spread of the infectious disease known as the hepatitis C virus and the relationship between the spread of this disease and the sharing of needles by intravenous drug users; and

WHEREAS, the Committee also received information and heard testimony concerning the effectiveness of needle exchange programs in combating the spread of the hepatitis C virus, including the endorsement of such programs by the National Institutes of Health and the Center for Disease Control for this purpose; and

WHEREAS, in October, 1999, the California Legislature passed AB 136, which provides that public entities and their agents and employees are not criminally liable for distribution of hypodermic needles or syringes to participants in clean needle and syringe exchange projects

authorized by the public entity pursuant to a declaration of a local emergency due to the existence of a critical local public health crisis; and

WHEREAS, the Council finds that the circumstances existing within the City of San Diego, as established at the Public Safety & Neighborhood Services Committee, warrant the declaration of a local emergency based on a critical public health crisis; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that pursuant to California Government Code section 8630, a state of local emergency is declared to exist in connection with the spread of the hepatitis C virus, exacerbated by the shared use of needles and syringes by intravenous drug users.

BE IT FURTHER RESOLVED, that the City Manager is authorized and directed to immediately convene a task force charged with developing the practices and procedures to be used in conducting a one-year clean needle and syringe exchange pilot program, coupled with a drug abuse treatment program, within the City.

BE IT FURTHER RESOLVED, that the City Council hereby delegates to the City Manager the authority to select the task force participants; provided, however, that the task force shall include representatives from the San Diego Police Department, the City Attorney's office, the City Manager's office, the Mayor's office, the Alliance Healthcare Foundation, at least one representative from a public health agency, hospital, or medical group familiar with the

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prevention and control of disease among the City's population of intravenous drug users, and representatives of the community at large.

APPROVED: CASEY GWINN, City Attorney

By \_\_\_\_\_  
Theresa C. McAteer  
Deputy City Attorney

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